IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.738 OF 2004

M/s.Vijay Paradise Bar & Restaurant
through its Proprietor Shri Vijay
Balaram Mhatre : Petitioner

V/s.

State of Maharashtra & Ors. : Respondents

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Mr.P.C.Kansara for the petitioner.

Mr.M.H.Solkar, Assistant Government Pleader for the respondents.

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**CORAM : S.A. BOBDE, J.**

February 17, 2005.

P.C.:

1. Rule, returnable forthwith.

Mr.Solkar, learned Assistant Government Pleader, appears and waives service for the respondents.

Heard by consent.

2. The petitioner is aggrieved by the order of the appellate authority rejecting his appeal against refusal of licence for public amusement. According to the learned

counsel for the petitioner, the reason for rejecting the petitioner's application is not valid. The authority has rejected the application on the ground that he had not submitted all the necessary documents. The petitioner contends that he, in fact, had submitted the said documents. He has also annexed documents to the petition. In the circumstances, I consider it appropriate to set aside the order rejecting the petitioner's licence and remand the matter back to respondent no.3 for a fresh decision regarding the grant of licence to the petitioner, in accordance with law.

3. The rule is made absolute in the aforesaid terms.

Sd/-

S.A. BOBDE, J.